

## CHAPTER 6

### PUBLIC PARTICIPATION TASKS & TECHNIQUES

#### SECTION 2

##### THE PUBLIC PARTICIPATION PLAN - Developing the Plan

The purpose of the Public Participation (PP) Plan is to formally document community concerns regarding a site or facility, and to identify specific public participation activities which will be implemented to ensure the community is involved in the agency decision-making process.

**NOTE: Community interviews must always be completed prior to the development of a Public Participation Plan, and the results of the interviews become the basis of the Plan. See page #**

Project staff should allow ample time for developing the Public Participation Plan, as it may take up to 9-12 weeks from the inception of the planning process to the completion of the draft Public Participation Plan, plus final review and approval time required of the Public Participation Specialist (PPS). (Refer to Exhibit #, page #, "Public Participation Plan Activities Checklist".)

The public will have access to the Public Participation Plan, which will be placed in at least one information repository in the community, and DTSC is expected to conduct those public participation activities prescribed in the Plan.

PUBLIC PARTICIPATION TASK RESPONSIBILITIES		ACTIVITY
PPS	***	PROJECT MANAGER
PP PLAN	-Review & approve/(write for state-lead sites or permits).	-Review & comment.

\*\*\*Activities which are not assigned to specific staff, but which must be accomplished by the PPS, Project Manager, and/or clerical support.

##### Timing

**Site Mitigation:** The development of a Public Participation Plan will begin as soon as DTSC determines it is necessary. The Public Participation Plan must be completed by the contractor or Responsible Party and approved by the PPS before the remedial investigation field work begins.

**Hazardous Waste Management:** Consider the development of a Public Participation

Plan for any "high" interest permit application/closure plan, and at the beginning of the corrective action process (RCRA facility investigation). For guidance on determining the community level of interest, refer to Exhibit # , "Community Interest Evaluation Worksheet", page #.

## **THE PUBLIC PARTICIPATION (PP) PLAN - Elements of the Plan**

The Public Participation Plan documents DTSC's commitment to the community interested in the hazardous waste facility or site. The Public Participation Plan sets forth the actions which DTSC and the permit applicant will take during the course of the permit determination or closure to keep the community informed in a timely fashion, and to provide opportunities for community participation in the decision-making process.

### **Elements of the Public Participation (PP) Plan**

#### **The PP Plan consists of:**

- o Introduction - Clearly explains the purpose of the document.
- o Site/Facility History - Provides an overview of the site/facility, its technical and regulatory history, and a history of past community concerns and involvement in activities at the site/facility.
- o Community Concerns - Summarizes any concerns identified during the community interviews.
- o Objectives of the PP Plan - Provides a narrative of the major objectives of the Plan. Objectives typically relate to the specific concerns outlined in the "Community Concerns" section of the Plan.
- o Public Involvement Activities - Describes the specific activities that will be conducted to meet the objectives outlined in the "objectives" section of the Plan (e.g., meetings, fact sheets, briefings for local officials, etc.)
- o Appendices - Can be included to provide the project mailing list, media contacts, and public meeting and information repository locations.

### **Writing the Plan**

Project staff should ensure that the Plan contains these elements, as required by DTSC policy. The PPS will not approve a Public Participation Plan, which does not contain all of these elements.

### **Interpreting Information**

One of the goals of the Public Participation Plan is to present broad-based conclusions about the community's concerns and interests. The Plan writer should review site history, background information and comments obtained through interviews. The writer should then group the information into the appropriate (See Exhibit 6-8) categories. From the information in these categories, the writer may draw broad-based conclusions about community interests, and develop activities that will respond to community concerns.

While it is important not to extrapolate from what was said during the interviews to draw conclusions, project staff should try to interpret the core of community concerns from the interview notes. The writer should realize that she/he is drawing conclusions based on the interviews, and use terminology that reflects this (e.g., state that "some", "many", "few" or "one" person interviewed expressed that concern or belief).

It is extremely important to note that no community members are ever directly quoted in order to preserve the anonymity of the source.

## **Tone and Voice**

Write the Public Participation Plan in active voice. The Plan should be written from DTSC point of view to the public, describing in direct language the activities to be conducted by DTSC or the Responsible Party (with DTSC oversight), and stating the opportunities for public involvement. In addition, the Plan must avoid technical language but, if technical language is necessary, the technical terms should be highlighted and defined in a glossary.

## **Approving Plan/Revision Plan**

### **Approval of Plan**

When the Public Participation Plan is prepared by an Responsible Party, proponent or contractor, the Plan shall be submitted to DTSC for review by the Project Manager and the PPS. (Refer to Exhibit #, "Public Participation Plan Reviewer's Checklist", on page #.)

**The final Public Participation Plan must be approved by the PPS prior to implementation. A signature line must be included on the cover page of the Plan for the PPS's signature.** (Refer to Exhibit # , "Signature Page for Final Participation Plan", on page #).

The review cycle may take several months from the "draft" to "final" stage of the Public Participation Plan, depending on the complexity of the site/facility, the quality of the first draft and the number of other parties interested in the Plan and/or site/facility. Reviewers should be allowed two weeks to comment on the draft Plan, but the Project Manager may alert reviewers if a tight deadline is involved and request comments by a specified date.

## **Revising the Plan**

Revision of all or parts of the Public Participation Plan for a project may be done in order to incorporate new information, reflect changes in community concern, and adjust public participation activities to meet these changes. A revision ensures that the Public Participation Plan remains sensitive to community concerns through all phases of the project. It can also evaluate which public participation activities are effective. (Refer to Exhibit #, page #.)

## **Revision Process**

The process for revising a Public Participation Plan is similar to the process for writing the plan initially:

- o Review new information obtained through new developments of the project, new community interviews, or information from other events;

## **Revising the Plan**

- o Evaluate how this new information changes the community concerns and recommended public participation activities; and,
- o Revise and update the Public Participation Plan accordingly.

## **Timing**

The Public Participation Plan should be reviewed and/or revised:

- o When a significant change in community concerns or activities at a site/facility occurs; and,
- o At least every two years for long-term projects.

## **EXHIBIT 6-7**

### **PUBLIC PARTICIPATION PLAN DEVELOPMENT CHECKLIST**

PROJECT: \_\_\_\_\_

LEAD: \_\_\_\_ State funded \_\_\_\_ RP \_\_\_\_ DoD \_\_\_\_ U.S.EPA \_\_\_\_ Other \_\_\_\_\_

PLANNING MEETING DATE \_\_\_\_\_ PLACE: \_\_\_\_\_

ATTENDEES: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PP PLAN DEVELOPMENT ACTIVITY  
(activities may vary for each project)

RESPONSIBLE  
PERSON(S)

DUE  
DATE

1. Develop interview list. \_\_\_\_\_
2. Review/approve list for completeness. \_\_\_\_\_
3. Provide site background information. \_\_\_\_\_
4. Make contact, set up interviews. \_\_\_\_\_
5. Develop interview questions. \_\_\_\_\_
6. Approve interview questions. \_\_\_\_\_
7. Conduct interviews. \_\_\_\_\_
8. Follow up on commitments made in interviews. \_\_\_\_\_
9. Prepare PP Plan. \_\_\_\_\_
10. Review and approve PP Plan. \_\_\_\_\_
11. Develop list of information repositories. \_\_\_\_\_
12. Make contact to confirm repository locations. \_\_\_\_\_
13. Send initial material to repository. \_\_\_\_\_
14. Compile names for mailing list. \_\_\_\_\_

## EXHIBIT 6-8

### PUBLIC PARTICIPATION PLAN OUTLINE

#### A. Introduction:

- o Purpose of the Public Participation Plan;
- o Agencies with oversight responsibilities at the site/facility;
- o Description of how information was obtained -- note that a list of persons interviewed during the Plan preparation is included in Appendix A;
- o Summary descriptions of community concerns and the public participation program; and,
- o How the Plan is organized.

**B. Community Background:**

- o Site/facility description;
- o Area and site maps;
- o History of site/facility (basic historical, geographical, and technical detail necessary to understand the site was listed on the State remediation list), including site location and proximity to community and geographic landmarks (e.g., homes, schools, playgrounds, businesses, lakes, streams);
- o Agency involvement;
- o History of community involvement, how the community has reacted to the site/facility in the past; and,
- o Community concerns and issues.
- o Demographics of community in which the site is located (e.g., socioeconomic level, ethnic composition, specific language considerations, etc.). This information may be found in local libraries, on the internet, or in various public and private offices.

**C. Objectives of the Public Participation Plan:**

- o Objectives specific to public participation for this site/facility and any special circumstances the Plan will address;

**D. Public Participation Techniques:**

- o Characterize the strategy for the public participation program at the site. Topics to be covered include:
  - a. Description of methods of communication or activities to be conducted;

**EXHIBIT 6-8 (cont.)**

- b. Timing of these activities in relation to technical milestones, including a planning matrix at the end of this section;

- c. Responsibility for implementation of these activities (DTSC, Contractor, RFP, etc.);
  - d. Resources to be used in the public participation program (e.g., local organizations, meeting places); and,
  - e. Areas of special sensitivity that must be considered when conducting public participation and remedial activities.
- E. Public Participation Activities: At a minimum, this section will include those required public participation activities stipulated under the Site Mitigation Program (Section #) and the Hazardous Waste Management Program (Section #).
- F. Schedule of Public Participation Activities: This will be a one-page schedule that relates timing of public participation activities to technical milestones for the site/facility. If more than one entity has responsibility for the implementation of the PP Plan, list each public participation activity and who has the responsibility for its implementation (i.e., DTSC, RP, EPA, Regional Water Quality Control Board, county health department).
- G. Appendix A - Key-Contacts Mailing List - This list will include names, titles, addresses and telephone numbers of all officials and group representatives contacted during the community interviews (indicated by asterisks) and others who should receive regular information about site development. Because the public participation plan is a public document, the telephone numbers and addresses of non-officials and non-affiliated individuals contacted for interviews will not be included as part of the Plan that is made available to the public. The list of contacts identified in the appendix should include the following:
  - o DTSC's Mandatory Mailing List.
  - o Mail delivery personnel (the local post office).
  - o Owners of the affected property .
  - o Federal, State and local elected officials (including city, county or township).

#### **EXHIBIT 6-8 (cont.)**

- o Local and regional environmental and citizens' groups.
- o DTSC officials (include all programs involved in the remedial process, e.g., Technical Services, Public Participation, Site Mitigation Branch).

- o Interested residents.
  - o Local, State and federal health and environmental agencies.
  - o City and county clerks; city, county, and regional fire, health, water, air, environmental health, planning and transportation officials.
  - o Media contacts (newspaper, radio, and television). (See Exhibit # on page # for complete list).
  - o Adjacent property owner.
- H. Appendix B - Meeting Location and Information Repositories. This appendix will identify suitable locations for holding public meetings and making public information easily accessible to community members. Repository hours and contact names for both repositories and meeting places should also be included.
- I. Appendix C - Glossary of Terms. A glossary will be used if the site background is particularly complex or if many technical terms or jargon are used in the public participation plan. Terms defined in the glossary will be indicated in the text of the public participation plan by italics, bold-faced type or underlining.



## EXHIBIT 6-9

### PUBLIC PARTICIPATION PLAN REVIEWER'S CHECKLIST

DATE: \_\_\_\_\_ DRAFT PLAN \_\_\_\_\_ FINAL PLAN \_\_\_\_\_ REVISED PLAN

PROJECT: \_\_\_\_\_

REVIEWER(S): \_\_\_\_\_

#### REVIEW CRITERIA

- \_\_\_ Determine need for or revision of PP Plan.
- \_\_\_ Review project background file.
- \_\_\_ Determine the number of interviews to conduct and with whom.
- \_\_\_ Conduct the interviews.
- \_\_\_ Draft the PP Plan or revision of PP Plan.
- \_\_\_ Introduction: Explains the purpose of the document.
- \_\_\_ Project History: Reviews activities that have taken place since the initial plan was prepared.
- \_\_\_ Community Concerns: Reviews concerns outlined in the original plan and describes changes that have taken place since the time and initial plan was written. This discussion is based on information obtained during community interviews and through public comments.
- \_\_\_ Objectives of the PP Plan: Explains the major objectives of the plan relating to specific concerns outlined in the previous section of the document.
- \_\_\_ Public Involvement Activities: Describes the specific activities to be conducted to meet the objectives of the plan.
- \_\_\_ Appendices: Updates information on key contacts, media, public meeting and information repository locations.
- \_\_\_ Coordinate internal review of PP Plan.
- \_\_\_ Prepare final plan based on comments received during internal review.
- \_\_\_ Distribute plan to information repositories.

- |   | <u>PAGE</u> | <u>YES</u> | <u>NO</u> |
|---|-------------|------------|-----------|
| 1. Is the organization of the plan clearly presented in a table of contents and introductory paragraph? | ___         | ___        | ___       |
| 2. Is the purpose of the plan stated?   | ___         | ___        | ___       |
| 3. Does the plan state which agencies have responsibility or oversight for                              |             |            |           |

public participation activities? \_\_\_\_\_

## EXHIBIT 6-9 (cont.)

	<u>PAGE</u>	<u>YES</u>	<u>NO</u>
4. Does the plan describe how information was obtained?	_____	_____	_____
5. Is there a list of people who were interviewed to obtain the information in the plan?	_____	_____	_____
6. Are public participation activities listed in a matrix format, indicating which activity corresponds with each technical milestone?	_____	_____	_____
7. Does the plan have a history or background section?	_____	_____	_____
8. Does the community background section include a site/facility description and location map?	_____	_____	_____
9. Does the plan describe the history of community interest and involvement in this project?	_____	_____	_____
10. Does the plan identify potential issues and community concerns?	_____	_____	_____
11. Are the objectives of the public participation program described in the plan?	_____	_____	_____
12. Are these objectives based on the issues and community concerns identified in the plan?	_____	_____	_____
13. Does the plan describe for each objective the public participation technique to be used and the purpose of each technique?	_____	_____	_____
14. Is there a list of recommended locations near the site for information repositories?	_____	_____	_____
15. If a site mitigation project, does the plan address all the requirements of the California Health & Safety Code, Sections 25356.1(d) and 25358.7?	_____	_____	_____
a. Circulate the draft RAP/draft RAW for 30 days for public review and comment.	_____	_____	_____
b. Develop a mailing list that, at the minimum, includes contiguous property owners and local and state agencies, and requires they be notified by direct mail of actions proposed in the draft RAP/draft RAW.	_____	_____	_____
c. Publish a notice of draft RAP/draft RAW availability for public review in a newspaper of general circulation in the affected area.	_____	_____	_____
d. Post notices in locations of proposed removal or remedial actions.	_____	_____	_____
e. Hold one or more public meetings on the draft RAP/draft RAW.	_____	_____	_____
f. Based on public comment, review draft RAP/draft RAW, if appropriate, and respond to comments.	_____	_____	_____

16. Has a mailing list of key contact people been compiled for the site (in the Appendix)?

\_\_\_\_\_

17. Are any follow-up actions required?

\_\_\_\_\_

### EXHIBIT 6-9 (cont.)

PAGE   YES   NO

18. What is your overall assessment of this plan (identify problems, strong points, unresolved issues)?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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## EXHIBIT 6-10

### SAMPLE SIGNATURE PAGE FOR FINAL PUBLIC PARTICIPATION PLAN

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PUBLIC PARTICIPATION PLAN - COMMUNITY RELATIONS PLAN

Site Name

Signed: \_\_\_\_\_  
PPS  
California Environmental Protection Agency  
Department of Toxic Substances Control

Date: \_\_\_\_\_